

# Exhibit 2

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA

GILBERT MEDICAL BUILDING LCC, )  
and AKY MD GILBERT, LLC, )  
Plaintiffs, )  
v. ) Case No. 5:20-cv-00896-R  
TRAVELERS CASUALTY )  
INSURANCE COMPANY OF AMERICA, )  
Defendant. )

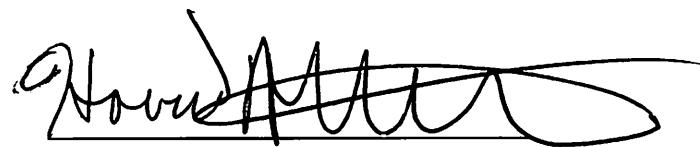
AFFIDAVIT OF HOWARD ALTSCHULE

STATE OF NEW YORK        §  
                                  §  
ALBANY COUNTY        §

BEFORE ME, the undersigned authority, personally appeared, Howard Altschule, who after being duly sworn, deposed, and stated as follows:

1. My name is Howard Altschule. I am over the age of 21 and I am competent to make this Declaration. I have personal knowledge of all the facts stated herein and they are true and correct.
2. I am the CEO of Forensic Weather Consultants, and a Certified Consulting Meteorologist.
3. I was hired in this case to perform an in-depth weather analysis and forensic weather investigation at 7530 NW 23<sup>rd</sup> Street in Bethany, Oklahoma in order to determine what the weather conditions were on April 17, 2019.
4. Sometime in November, I was contacted to schedule my deposition in this matter. I informed everyone that I did not want to conduct my deposition in person due to the health risks associated with COVID-19.
5. An immediate family member has been diagnosed as immune compromised.

6. The new and very dangerous variant “Omicron” of Covid 19 continues to spread faster than any other variant. Cornell University in New York shut down this week due to a Covid outbreak. Media sources state that new research from scientists indicates that the current vaccines are not very effective against the “Omicron” variant.
7. The health and safety of my immediate family comes first in my life and I would simply ask that the Court mandate that this deposition take place via Zoom or some other remote means on December 29, 2021.



Howard Altschule

SUBSCRIBED AND SWORN TO BEFORE ME on this 16<sup>th</sup> day of December 2021, to certify which witness my hand and seal of office.

Renée V. Martin  
Notary Public, State of New York

